

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

RESTORE PUBLIC TRUST,

Plaintiff,

V.

Case No. 1:19-cv-01371

UNITED STATES DEPARTMENT OF  
COMMERCE,

Defendant.

## EXHIBIT 2

Bobbie Parsons  
Immediate Office of the Secretary Freedom of Information Officer  
Office of Privacy and Open Government  
14th and Constitution Avenue NW  
Mail Stop 52010  
Washington, DC 20230  
Submitted via Email: [bparsons@doc.gov](mailto:bparsons@doc.gov)

December 4, 2018

Re: Freedom of Information Act Request

Pursuant to the Freedom of Information Act, Restore Public Trust requests access to and copies of certain records held by the Department of Commerce. Specifically, we request all emails referencing Christine Pierce or the Nielsen Company sent by, to, or carbon copying ("CC") the following officials, or individuals acting on their behalf:

- Wilbur Ross
- Wendy Teramoto
- Karen Dunn Kelley
- Earl Comstock
- John Guido
- Dr. Ron Jarmin
- Peter Davidson
- Kris Kobach
- John Gore

If possible, I would prefer to receive this information electronically via e-mail at [info@restorepublictrust.org](mailto:info@restorepublictrust.org). If you have questions or need additional information, please feel free to call me at 202-255-9759.

**Fee Waiver Request**

Restore Public Trust requests a waiver of fees because disclosure of the requested information is "in the public interest because it is likely to contribute significantly to public understanding" of government operations and is not "primarily in the commercial interest of the requester." The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public's business.

Wilbur Ross appears to have misled Congress about Commerce's role in initiating the conversation around including a question about citizenship in the 2020 US Census<sup>1</sup>. Furthermore, an individual who met with Wilbur Ross about the 2020 Census recently claimed that Ross mischaracterized her views about the addition in a memo announcing the policy change<sup>2</sup>. There is strong public interest in knowing how the decision to add the citizenship question to the 2020 Census was made, and whether or not Secretary Ross has been honest in his characterizations of the addition. The requested materials will be used to inform the public on this crucial topic.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Restore Public Trust does not have a commercial purpose and the release of the information requested is not in Restore Public Trust financial interest. Restore Public Trust will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. Restore Public Trust will also make materials it gathers available on its public website.

Accordingly, Restore Public Trust qualifies for a fee waiver.

### **Conclusion**

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. Additionally, if any documents are withheld based on the Agency's interpretation of any exemption, Restore Public Trust requests that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974). Specifically, this Vaughn index should describe withheld documents with enough specificity to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Caroline Ciccone  
Executive Director, Restore Public Trust

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<sup>1</sup> Ariane de Vogue, Gregory Wallace and Paul LeBlanc, "[Justice Department filing appears to contradict commerce secretary testimony to Congress](#)," *CNN*, 10/12/18

<sup>2</sup> Erik Larson, "[Ross Accused of Twisting Expert's View on Citizenship Question](#)," *Bloomberg*, 11/07/18